

# BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

8110 GATEHOUSE ROAD  
SUITE 500 EAST  
FALLS CHURCH, VA 22042-1210  
USA

(703) 205-8000

FAX: (703) 205-8050  
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com  
web: http://www.bskb.com

CALIFORNIA OFFICES:  
COSTA MESA, CALIFORNIA  
LOS ANGELES, CALIFORNIA

TERRELL C. BIRCH  
RAYMOND C. STEWART  
JOSEPH A. KOLASCH  
JAMES M. SLATTERY  
MICHAEL K. MUTTER  
CHARLES GORENSTEIN  
GERALD M. MURPHY, JR.  
LEONARD R. SVENSSON  
ANDREW D. MEIKLE  
MARC S. WEINER  
JOE MCKINNEY MUNCY  
ROBERT J. KENNEY  
JOHN W. BAILEY  
MARK J. NUELL, PH.D.  
JAMES T. ELLER, JR.  
D. RICHARD ANDERSON  
THOMAS M. SMALL\*  
ROBERT A. SELDON\*  
JOHN A. SCILLIERI\*  
SANFORD ASTOR\*

OF COUNSEL:  
HERBERT M. BIRCH (1905-1996)  
BERNARD L. SWEENEY\*  
ELLIOT A. GOLDBERG\*  
WILLIAM L. GATES\*  
EDWARD H. VALANCE  
RUPERT J. BRADY (RET.)\*  
F. PRINCE BUTLER  
FRED S. WHISENHUNT (RET.)  
JAMES W. HELLWEIGE  
QUENTIN R. "RICK" CORRIE  
ROBERT F. GNUSE  
DAVID R. MURPHY  
PHILIP K. YU\*  
ROBERT M. ASHEN\*  
MICHAEL R. CAMMARATA

\*ADMITTED TO A BAR OTHER THAN VA.

18334 U.S. PTO  
07/14/03

SCOTT L. LOWE  
PAUL C. LEWIS  
RICHARD J. GALLAGHER  
MARYANNE ARMSTRONG, PH.D.  
KECIA J. REYNOLDS  
KALPANA REDDY  
ESTHER H. CHONG  
CATHERINE M. VOISINET\*  
EUGENE T. PEREZ  
CAROLYN T. BAUMGARDNER\*  
MARTIN R. GEISSLER\*  
J. ALISON GRABELL\*  
T. BENJAMIN SCHROEDER, PH.D.  
PERCY L. SQUARE  
CLINT A. GERDINE  
CRAIG A. McROBBIE

REG. PATENT AGENTS:  
FREDERICK R. HANDREN  
MAKI HATSUMI  
GARTH M. DAHLEN, PH.D.  
ROBERT E. GOOZNER, PH.D.  
KRISTI L. RUPERT, PH.D.  
MATTHEW T. SHANLEY  
SUSAN W. GORMAN, PH.D.  
ROBERT W. DOWNS  
CHAD J. BILLINGS  
CHRISTINE V. CASTILLO  
CARL T. THOMSEN  
SAM BHATTACHARYA  
BRADLEY C. FACH

Date: July 14, 2003

Docket No.: 0080-0224P

03807 U.S. PTO  
10/617695  
07/14/03

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a  continuation  divisional  
 continuation-in-part application under 37 C.F.R. § 1.53(b) of  
pending prior Application No. 09/640,005 filed on August 17,  
2000, the entire contents of which are hereby incorporated by  
reference, by Nobuaki MINAMI; Kazuya SUZUKI; Yukio ENDO

for

TUBELESS PNEUMATIC TIRE WITH CARCASS HAVING BUTYL-BASED INNER  
TOPPING RUBBER LAYER

1.  Enclosed is an application consisting of specification,  
claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:

		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$750.00		\$375.00	
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE	
<b>TOTAL CLAIMS</b>	11-20 =	0	x 18 = \$0.00	x 9 = \$0.00	
<b>INDEPENDENT CLAIMS</b>	2-3 =	0	x 84 = \$0.00	x 42 = \$0.00	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00	
		<b>TOTAL</b>	\$750.00	\$0.00	

3.  A check in the amount of \$750.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/640,005, filed on August 17, 2000, which is a divisional of USP 6,148,889 issued November 21, 2000, which is a divisional of USP 5,971,049 issued October 26, 1999, which is a divisional of USP 5,688,343 issued November 18, 1997, the entire contents of which are hereby incorporated by reference and for which priority is claimed under 35 U.S.C. § 120; and this application claims priority of Application Nos. 6-196934 and 7-57747 both filed in Japan on August 22, 1994 and March 16, 1995, respectively under 35 U.S.C. § 119.--

b.  --This application is a  continuation  divisional  continuation-in-part of co-pending Application No. 09/640,005, filed on August 17, 2000 and for which priority is claimed under 35 U.S.C. § 120. Application No. 09/640,005 is the national phase of PCT International Application No. PCT/\_\_\_\_/\_\_\_\_ filed on \_\_\_\_ under 35 U.S.C. § 371. The entire contents of each of the above-identified

applications are hereby incorporated by reference. This application also claims priority of Application No. filed in on under 35 U.S.C. § 119.--

6.  Enclosed is/are twelve (12) sheet(s) of formal drawings and/or photographs.

7a.  A statement claiming small entity status was filed in prior Application No. 09/640,005 on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.

7b.  The current application qualifies for small entity status.

8.  The prior application is assigned to Sumitomo Rubber Industries, Limited.

9.  A Preliminary Amendment is enclosed.

10a.  Priority of Application Nos. 6-196934 and 7-57747 both filed in Japan on August 22, 1994 and March 16, 1995 respectively, are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on December 20, 1995.

10b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

11.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.

12.  Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
**or**  
Customer No. 002292

13.  An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. 09/640,005 in order to establish co-pendency with the present application.

14.  Also enclosed herewith is the following:

---

---

---

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Andrew D. Meikle, #32,868

ADM/jeb  
0080-0224P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)

(Rev. 04/30/03)